

PEARCE FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.C.R. 2039

I move the following SUBSTITUTE amendment to the RULES Committee amendment to HOUSE CONCURRENT RESOLUTION 2039 (Reference to printed concurrent resolution)

1 Page 1, strike lines 17 through 22, insert:

2 "A. NO OFFICIAL, AGENCY OR PERSONNEL OF THIS STATE OR COUNTIES, CITIES  
3 OR TOWNS OF THIS STATE MAY ADOPT A POLICY THAT LIMITS THE ENFORCEMENT OF  
4 FEDERAL IMMIGRATION LAWS TO THE FULL EXTENT PERMITTED BY FEDERAL LAW. FOR  
5 EVERY LEGITIMATE CONTACT MADE BY SUCH OFFICIALS, AGENCIES OR PERSONNEL WHERE  
6 REASONABLE SUSPICION EXISTS REGARDING THE IMMIGRATION STATUS OF A PERSON, A  
7 REASONABLE ATTEMPT SHALL BE MADE TO DETERMINE THE IMMIGRATION STATUS OF THE  
8 PERSON. IF THE"

9 Line 35, after the period strike remainder of line

10 Strike lines 36 through 39

11 Page 2, strike lines 10 through 17, insert:

12 "C. A PERSON MAY BRING AN ACTION IN SUPERIOR COURT TO CHALLENGE ANY  
13 OFFICIAL, AGENCY OR PERSONNEL OF THIS STATE OR COUNTIES, CITIES OR TOWNS OF  
14 THIS STATE THAT ADOPTS OR IMPLEMENTS A POLICY THAT LIMITS THE ENFORCEMENT OF  
15 FEDERAL IMMIGRATION LAWS TO THE FULL EXTENT PERMITTED BY FEDERAL LAW. IF  
16 THERE IS A JUDICIAL FINDING THAT AN ENTITY HAS VIOLATED THIS SECTION, THE  
17 COURT MAY ORDER ANY OF THE FOLLOWING:

18 1. THAT ALL STATE FUNDING BE WITHHELD FROM THE ENTITY UNTIL THE POLICY  
19 IS RESCINDED.

20 2. THAT THE ENTITY PAY A CIVIL PENALTY NOT TO EXCEED AN AMOUNT EQUAL  
21 TO FIVE THOUSAND DOLLARS FOR EACH DAY THAT THE POLICY HAS REMAINED IN EFFECT  
22 AFTER IT HAS BEEN FOUND TO BE IN VIOLATION OF THIS SECTION."

23 Line 33, after the period strike remainder of line

24 Strike lines 34 and 35, insert "THE PERSON IS NOT"

25 Line 37, after the period strike remainder of line

26 Strike lines 38, 39 and 40

House Amendments to H.C.R. 2039

- 1 Page 3, strike lines 23 through 31
- 2 Renumber to conform
- 3 Amend title to conform

hcr2039-f4-pearce  
4/8/08  
11:28 AM  
H:jmb

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RUSSELL K. PEARCE

hcr2039rp2\*  
3/19/2008  
2:00 PM  
C: drt